

31A-3-301 Tax imposed on surplus lines insurance transactions.

- (1)
 - (a) An insurance transaction under Section 31A-15-103 is subject to a tax of 4-1/4% of gross premiums, less 4-1/4% of return premiums paid to insureds by reason of policy cancellations or premium reductions.
 - (b) "Gross premium," for a surplus lines insurance transaction, means the monetary consideration for an insurance policy including the fees charged to the insured, however designated.
- (2) The tax imposed by this section does not apply to:
 - (a) ocean marine insurance;
 - (b) insurance premiums paid by institutions within the state system of higher education as specified in Section 53B-1-102; or
 - (c) annuities.
- (3) The department shall deposit a tax imposed by this section in the General Fund.
- (4)
 - (a) A county, city, or municipality within the state may not impose an occupation tax or other tax or fee on a surplus lines insurance transaction.
 - (b) Notwithstanding Subsection (4)(a), an insurer, producer, or policyholder may be subject to other taxes not described in Subsection (4)(a).

Amended by Chapter 275, 2011 General Session